# FISCAL NOTE
# HB 3895

March 30, 2006

**SUMMARY OF BILL:**     Creates a special 15-member committee to be known as the "Death Penalty Fairness Study Committee" and establishes a three-year moratorium preventing execution of any person pending the completion of the study. The Committee shall report its findings and recommendations to the Governor and the General Assembly within three years of the effective date of this act, at such time the Committee will cease to exist.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures – Net Impact - $3,300/ Incarceration***
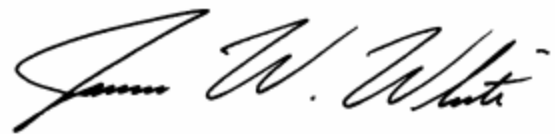                                        **$1,720 Each One Day Meeting**

Assumptions:

- Travel and per diem expenses for four legislative members of $1,000 ($150 per diem plus $100 mileage each).  Travel expenses for six non-state members of the Committee of $720 ($120 mileage each).
- Tennessee has executed one inmate in the past 45 years.  That execution occurred in 2000, at a cost in excess of $11,000.  The cost of executing an inmate in 2006 is estimated at a cost in excess of $15,000.
- According to the Department of Correction (DOC), the average operating cost per inmate per day for calendar year 2006 is $50.02.  A moratorium on executions for the next three years would increase state expenditures by $18,269.81 ($50.02 x 365.25 days) per year for each year that an inmate is housed in a state facility rather than being executed.
- The net impact on state expenditures for incarceration costs would be an increase of $3,269.81 ($18,269.81 - $15,000 = $3,269.81).

*Tennessee Code Annotated, Section 9-4-210, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law.  The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

**CERTIFICATION:**

    This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

James W. White, Executive Director

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